

REMARKS

I. Status of the claims

Claims 1 to 14 are pending. Claims 1, 12, and 14 have been amended. New claims 15 to 17 have been added. Accordingly, upon entry of this Amendment and Response, claims 1 to 15 are under consideration.

Support for the claim amendments can be found throughout the specification, for example, at page 2, lines 25-35; and page 3, lines 1-12; page 5, lines 3-6. Support for new claims 15 to 17 can be found throughout the specification, for example, at page 3, lines 7-8; and page 5, lines 16-26. Thus, as the amendments and new claims are supported by the specification, no new matter has been added and entry thereof is respectfully requested.

II. Rejection of claims 1 to 14

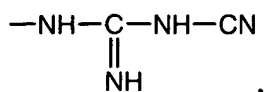
The examiner rejected claims 1 to 14 under 35 U.S.C. §102(b) as allegedly anticipated by any one of Chinese Patent No. CN 1125631 to Zhang et al. (“Zhang”) and Japanese Patent No. JP 11253716 to Omori et al. (“Omori”). Applicants note that the examiner has also cited Chinese Patent No. CN 1038392 as an additional reference; however, it appears that CN 1038392 is identical to Zhang, so Applicants will not further address CN 1038392 outside the discussion of Zhang.

Applicants first respectfully point out that the Omori reference was published on September 21, 1999, which was after the date of priority of the present application, namely August 13, 1999, the filing date of UK application No. 9919127.2. Accordingly, Japanese Patent No. JP 11253716 to Omori et al. is not available as prior art under §102(b) against the claims of the application, and the rejection is therefore improper.

In terms of the Zhang abstract, allegedly this abstract describes an air filter medium comprising a microbiologically effective amount of a polymeric biguanide or salt, wherein the polymeric biguanide contains at least two biguanide units in which the polymeric biguanide is poly(hexamethylene biguanide). However, Applicants respectfully point out that the characterization of the material in Zhang as a “poly(hexamethylene biguanide)” is not found in the translation of the abstract nor can it be inferred from it.

The abstract of Zhang at most describes an acetate salt of chlorhexidine (also called 2, 4, 11, 13-tetraazatetradecanediiimide, N, N’-bis(4-chlorophenyl)-3, 12-diimino-, diacetate). In

contrast, the amended claims recite, among other things, terminal functional groups which include hydrocarbyl, substituted hydrocarbyl, amine, and a cyanoguanidine group,



wherein said substituted hydrocarbyl is aryloxy, alkyloxy, acyl, acyloxy, or nitrile. Zhang neither teaches nor suggests polymeric biguanides with such terminal functional groups, nor methods of producing polymeric biguanides with such terminal functional groups. Thus, as Zhang fails to teach or suggest polymeric biguanides with the recited terminal functional groups, claims 1 to 14 are not anticipated by Zhang. Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 102(b).

New claims 15 to 17 are directed to free base forms of polymeric biguanides and methods of producing polymeric biguanides in a free base form. Zhang fails to teach or suggest polymeric biguanides in a free base form or methods of producing polymeric biguanides in a free base form. Accordingly, new claims 15 to 17 are not anticipated by Zhang.

III. Conclusion

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10*

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I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: August 25, 2006


Signature

SACHIKO Y. SNEDDEN

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.